

Hearing Officer Transmittal Checklist

Hearing Date
05/03/2016
Agenda Item No.
X 6

Project Number: R2014-02439-(5)
Case(s): Conditional Use Permit Case No. 201400115
Planner: Steve Mar

- ☒ Project Summary
- ☒ Property Location Map
- ☒ Staff Analysis
- ☐ Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- ☒ Draft Findings
- ☒ Draft Conditions + Other department letters of recommended conditions
- ☐ Previous CUP Conditions of Approval
- ☒ Burden of Proof Statement(s)
- ☐ Environmental Documentation (ND / MND / EIR)
- ☐ Correspondence
- ☐ Photographs
- ☐ Aerial Image(s)
- ☒ Land Use/Zoning Map
- ☐ Tentative Tract / Parcel Map
- ☒ Site Plan / Floor Plans / Elevations
- ☐ Exhibit Map
- ☐ Landscaping Plans
- ☐ Findings and conditions of Previous permit
- ☒ Sheriff Comment Letter – July 22, 2015
- ☒ ABC B&P Worksheet

Reviewed By: 



Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

PROJECT NUMBER

R2014-02439-(5)

HEARING DATE

May 3, 2016

REQUESTED ENTITLEMENTS

Conditional Use Permit No. 201400115

PROJECT SUMMARY

OWNER / APPLICANT

Mustang Realty, LLC / A & S Engineering (Ahmad Ghaderi)

MAP/EXHIBIT DATE

5/9/14

PROJECT OVERVIEW

The applicant, A & S Engineering, is requesting a conditional use permit (CUP) to authorize the sale of beer and wine for off-site consumption (Type 20 alcohol license) at a proposed automobile service/gas station mini mart in the C-1 (Restricted Business) zone in the South Santa Anita – Temple City Zoned District pursuant to Los Angeles County Code Section 22.28.110.

LOCATION

6850 Rosemead Blvd., San Gabriel (East San Gabriel)

ACCESS

via Rosemead Blvd. & Duarte Rd.

ASSESSORS PARCEL NUMBER(S)

5382-003-036

SITE AREA

0.68 Acres

GENERAL PLAN / LOCAL PLAN

Los Angeles County General Plan

ZONED DISTRICT

South Santa Anita – Temple City ZD

LAND USE DESIGNATION

CG – General Commercial

ZONE

C-1 (Restricted Business)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

East Pasadena – San Gabriel CSD

ENVIRONMENTAL DETERMINATION (CEQA)

Class 3 Categorical Exemption – New Construction or Conversion of Small Structures

KEY ISSUES

- Consistency with the Los Angeles County General Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
 - 22.44.135 (East Pasadena – San Gabriel CSD requirements)
 - 22.28.120 (C-1 Zone Development Standards)

CASE PLANNER:

Steve Mar

PHONE NUMBER:

(213) 974-6435

E-MAIL ADDRESS:

smar@planning.lacounty.gov

East Pasadena
East San Gabriel

Duarte Rd

State Route 19 Blvd
Rosemead

Project Site

40 m
100 ft



Legend

ENTITLEMENTS REQUESTED

- Conditional Use Permit (CUP) for the sale of beer and wine for off-site consumption (Type 20 alcohol license) at an automobile service/gas station mini mart in the C-1 (Restricted Business) Zone pursuant to County Code Section 22.28.110.

PROJECT DESCRIPTION

The applicant, A & S Engineering, is requesting a conditional use permit (CUP) to authorize the sale of beer and wine for off-site consumption (Type 20 alcohol license) at a proposed automobile service/gas station mini mart in the C-1 (Restricted Business) zone. The site plan depicts the project site located at the southeast corner of Rosemead Boulevard and Duarte Road. The site is currently vacant and was previously developed with an automobile smog check service station. The project proposes a 1,297 sq. ft. service garage with attached mini mart, a 51' x 28'-10" canopy over two fuel pump islands, a propane tank refueling area, and 12 automobile parking spaces. The proposed shelf plan shows that the mini mart's shelf space devoted to the display of beer and wine will be five percent of the mini mart's total shelf space.

EXISTING ZONING

The subject property is zoned C-1 (Restricted Business) and is located within the East Pasadena – San Gabriel Community Standards District (CSD).

Surrounding properties are zoned as follows:

North: C-3-DP (General Commercial – Development Program), R-3 (Limited Multiple Residence), R-1 (Single-family Residence)
South: R-3, R-1
East: R-3, R-1
West: C-1 (Restricted Business), C-1-DP (Restricted Business – Development Program), R-3

EXISTING LAND USES

The subject property is currently vacant.

Surrounding properties are developed as follows:

North: Fast Food Restaurant, Multi-family Residences, Single-family Residences
South: Multi-family Residences, Single-family Residences
East: Multi-family Residences, Single-family Residences
West: Retail/Commercial, Multi-family Residences, Single-family Residences

PREVIOUS CASES/ZONING HISTORY

The previous zoning history of the subject parcel is as follows: R-3 (3/29/1927), (R-5) 1/5/1938, R-1 (10/9/1953), R-3 (8/30/1960), C-1 (3/14/1961).

Building Permit History – On July 21, 1961, building permits were issued to demolish a single-family residence on the site and to build a new gas service station. On May 9, 1968, a building permit was issued to build a new canopy for the service station site.

Plot Plan No. 201500321 – On September 21, 2015, a Plot Plan was approved for a new Starbucks coffee shop with a drive-thru window. Although this Plot Plan has been approved, the property owner has not made a final decision to move forward with developing the new Starbucks coffee shop.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 3, New Construction or Conversion of Small Structures) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The sale of beer and wine for off-site consumption at a proposed automobile service/gas station mini mart will involve the minimal construction of a new 1,297 sq. ft. structure for the new service station garage and mini mart. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan/Community Plan Consistency

The project site is located within the CG – General Commercial land use category of the Los Angeles County General Plan. This designation is intended for areas suitable for local-serving commercial uses. The sale of beer and wine for off-site consumption at an automobile service/gas station mini mart provides a local commercial service to the neighborhood and is therefore consistent with the permitted uses of the underlying land use category.

The following policies of the General Plan are applicable to the proposed project:

- *Encourage infill development in urban and suburban areas on vacant, underutilized, and/or brownfield sites.*
- *Encourage a diversity of commercial and retail services, and public facilities at various scales to meet regional and local needs.*
- *Consider the built environment of the surrounding area and location in the design and scale of new or remodeled buildings, architectural styles, and reflect appropriate features such as massing, materials, color, detailing or ornament.*

The proposed project will provide alcoholic beverage products at a service/gas station mini mart and is in line with existing commercial development along Rosemead Boulevard and Duarte Road. The project site was previously used for an automobile service land use and will continue this type of land use. New structures built on the site will be suitable for commercial character of the intersection. The sale of alcoholic beverages provides a commercial retail service to the residential communities located near the intersection of Rosemead Boulevard and Duarte Road.

Zoning Ordinance and Development Standards Compliance

Pursuant to Section 22.28.120 of the County Code, establishments in the C-1 Zone are subject to the following development standards:

- Section 22.28.120-B states that parking shall be provided according to Section 22.52.1100 of the County Code. Commercial uses require one parking space for every 250 sq. ft. of building floor area. The proposed 1,297 sq. ft. service station garage and mini mart structure requires five parking spaces. The site plan depicts 12 parking spaces and fulfills the parking requirement.
- Section 22.28.120-C states the requirements of front and/or corner side yard requirements in Zone C-1. The proposed project meets these yard requirements.
- Section 22.28.120-F states the requirements for outside display in Zone C-1. The project is not proposing any outside display and complies with this requirement.

- Section 22.28.220-G states the requirements for outside storage in Zone C-1. No outside storage is shown on the site plan or being proposed for the project and complies with this requirement.

Pursuant to Section 22.44.135 of the County Code, establishments in the East Pasadena – San Gabriel Community Standards District (CSD) are subject to development standards related to signage, structure height, maximum floor area and lot coverage, setbacks, and lighting. All structures built on the site will be required to conform to these development standards. A separate plot plan application would need to be filed for the service/gas station and mini mart as this CUP is only for the sale of beer and wine. A service/gas station with mini mart is allowed by right in Zone C-1 pursuant to Section 22.28.080.

Neighborhood Impact/Land Use Compatibility

The selling of beer and wine for off-site consumption on the subject property is compatible with the surrounding neighborhood and provides a needed service, because commercial uses of this type are expected in the C-1 Zone and the proposed service/gas station and mini mart will be developed at a scale that is consistent with the scale of surrounding development.

Alcoholic beverage sales is a permitted use in the C-1 Zone once a CUP is obtained. Currently, there is one other establishment within a 500-ft. radius of the subject property that sells alcohol (7-Eleven convenience store with a Type 20 off-site beer and wine license). Therefore, there is an undue concentration of alcoholic beverages around the project site under County code. The sale of beer and wine for off-site consumption at the subject property would provide a public convenience and necessity to the neighborhood by providing goods and services that are customarily found at a convenience-type store. The mini mart's shelf space devoted to the display of alcoholic beverages will be no more than five percent of the store's total shelf space. There are no sensitive uses located within 600 ft. of project site.

The applicant carries the Burden of Proof to substantiate all facts as follows:

- A. That the requested use at the location proposed will not:
1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; or
 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The proposed sale of beer and wine for off-site consumption will be an ancillary activity to the primary service station mini mart operation on the site and will not have an adverse affect on local residents adjacent to the subject site.

- B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The project was previously developed with a smog check service station that complied with the development standards as prescribed under Title 22. The new service station will be constructed to similar size dimensions of the previous service station and will comply with all development standards.

- C. That the proposed site is adequately served:

1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and

2. By other public or private service facilities as are required.

The project site is located at the corner of a major intersection of two fully developed streets. The project is not anticipated to generate additional traffic to the site or on any adjacent streets. The site is currently serviced by all necessary utilities.

Additionally, the applicant carries the Burden of Proof to substantiate all facts as related to Alcoholic Beverage Sales as follows:

A. That the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.

The project is not located within 600 ft of any such sensitive uses.

B. That the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.

Residential areas adjacent to the site are buffered from the site by block walls along the south and east property lines and by existing roadways.

C. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment.

Currently there is one other establishment within 500 ft. of the subject property that sells alcoholic beverages (7-Eleven convenience store). Therefore there is an undue concentration of establishments that sell alcoholic beverages according to County Code. The service station's mini mart will restrict the shelf space for alcoholic beverage display to five percent of the store's total shelf space.

D. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.

The sale of beer and wine for off-site consumption will consist of a small portion of the mini mart's total sales and will be an ancillary use to the service station's operations. The proposed use is expected to enhance business at the service station's mini mart.

E. That the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood.

The project will be developed in a similar size, shape, bulk, and aesthetic to the former smog check service station that previously operated on the site and will be consistent to the commercial character of the intersection.

Burden of Proof

The applicant is required to substantiate all facts identified by Section(s) 22.56.040 and 22.56.195 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Sheriff's Station

The County of Los Angeles Sheriff's Department, Temple Station, researched the subject property's calls for service for over the past five years. During that time, the Department responded to 16 calls for service on the project site when it was developed as an automobile smog check service station with attached mini mart. The calls for service included seven alarm calls, four calls for transients sleeping in front of the business, one call for smoke being seen coming from a nearby apartment building, one traffic stop, one paramedic response for a person who had fallen, one patrol check regarding the CUP application, and one arrest for public intoxication. The Sheriff's Department mentioned that on numerous occasions, a food truck parks north of the subject property on Duarte Road. Before the former smog check service station was permanently closed, the food truck would operate after the service station's business hours and the food truck's customers often used the service station's parking lot. The Sheriff's Department is concerned that the potential sale of alcohol from the proposed service/gas station and the presence of the food truck, even if the food truck operates after the proposed service/gas station's business hours, may cause a direct impact on law enforcement services with a potential increase of public intoxication, drinking in public, driving under the influence, and other disruptions of public peace. The Sheriff's Department concluded that they could not recommend approval of the project.

Staff is of the opinion that a food truck operation is a transitory operation and not a permanent land use and that impacts to law enforcement from the project would be minimal even if the food truck continues to operate near the project site after the service/gas station's mini mart's normal business hours. The project will be required to comply with a condition to post signage on the premises prohibiting loitering and/or the consumption of alcoholic beverages on the subject property or within the public right-of-way. Employees shall be instructed to enforce these regulations and to contact local law enforcement if loitering or public consumption of alcoholic beverages is observed. Conditions of approval will also prohibit advertising the sale of beer and wine on the proposed structure and will regulate single sales of beer and wine containers.

OTHER AGENCY COMMENTS AND RECOMMENDATIONS

California Department of Alcoholic Beverage Control

Statistical data from the California Department of Alcoholic Beverage Control (ABC) report that the site of the subject request is located in a high crime reporting district. The subject property is in Reporting District 588. The average number of offenses reported per district is 85.7 and the total number of crimes reported for District 588 is 209.

The subject property lies within Census Tract 4800.12. There are currently 2 existing alcohol licenses in this census tract and 3 licenses are allowed. Therefore an undue concentration of alcoholic beverages does not exist within Census Tract 4800.12.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

PUBLIC COMMENTS

Staff has received one phone call from a neighboring resident who expressed concerns about the food truck that would park near the project site on some nights. The resident stated that the food truck patrons would sometimes leave trash on his property and is concerned about the potential sale of alcohol to food truck patrons from the service station.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2014-02439-(5), Conditional Use Permit Number 201400115, subject to the attached conditions.

SUGGESTED APPROVAL MOTION:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE CONDITIONAL USE PERMIT NUMBER 201400115 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Steve Mar, Regional Planning Assistant II, Zoning Permits East Section
Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section

Attachments:

Draft Findings, Draft Conditions of Approval
Applicant's Burden of Proof statement
Correspondence
Site Plan, Land Use Map

MM:SM
5/3/16

**DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02439-(5)
CONDITIONAL USE PERMIT NO. 201400115**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201400115 ("CUP") on May 3, 2016.
2. The permittee, A & S Engineering ("permittee"), requests the CUP to authorize the sale of beer and wine for off-site consumption (Type 20 alcohol license) at a proposed automobile service/gas station mini mart ("Project") on a vacant property located at 6850 Rosemead Blvd. in the unincorporated community of East San Gabriel ("Project Site") in the C-1 (Restricted Business) zone pursuant to Los Angeles County Code ("County Code") section 22.28.110.
3. The Project Site is 0.68 acres in size and consists of one legal lot. The Project Site is rectangular in shape with flat topography and is currently vacant.
4. The Project Site is located in the South Santa Anita – Temple City Zoned District and is currently zoned C-1 (Restricted Business) and is located within the East Pasadena – San Gabriel Community Standards District (CSD).
5. The Project Site is located within the CG – General Commercial land use category of the Los Angeles County General Plan Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
 - North: C-3-DP (General Commercial – Development Program), R-3 (Limited Multiple Residence), R-1 (Single-family Residence)
 - South: R-3 (Limited Multiple Residence), R-1 (Single-family Residence)
 - East: R-3 (Limited Multiple Residence), R-1 (Single-family Residence)
 - West: C-1 (Restricted Business), C-1-DP (Restricted Business – Development Program), R-3 (Limited Multiple Residence)
7. Surrounding land uses within a 500-foot radius include:
 - North: Fast Food Restaurant, Multi-family Residences, Single-family Residences
 - South: Multi-family Residences, Single-family Residences
 - East: Multi-family Residences, Single-family Residences
 - West: Retail/Commercial, Multi-family Residences, Single-family Residences
8. The Project Site was first zoned R-3 in 1927, rezoned to R-5 in 1938, rezoned to R-1 in 1953, rezoned to R-3 in 1960, and rezoned to C-1 in 1961. On July 21, 1961, building permits were issued to demolish a single-family residence on the site and to build a new gas service station. On May 9, 1968, a building permit was issued to build a new canopy for the site. On September 21, 2015, Plot Plan case (No. 201500321) was approved for a new Starbucks coffee shop with a drive-thru window on the site. Although this Plot Plan has been approved, the property owner has not made a final decision to move forward with developing the new Starbucks coffee shop. No Plot Plan has been approved for the proposed automobile service/gas station with mini mart.

9. The site plan for the Project depicts the Project Site located on the southeast corner of Rosemead Blvd. and Duarte Rd. The site is currently vacant and was previously developed with an automobile smog check service station. The project proposes a 1,297 sq. ft. service garage with attached mini mart, a 51' x 28'-10" canopy over two fuel pump islands, a propane tank refueling area, and 12 automobile parking spaces. The proposed shelf plan shows that the mini mart's shelf space devoted to the display of beer and wine will be five percent of the mini mart's total shelf space.
10. The Project Site is accessible via Rosemead Blvd. to the west and Duarte Rd. to the north. Primary access to the Project Site will be via entrance and exit driveways off of Rosemead Blvd. and Duarte Rd.
11. The County of Los Angeles Sheriff's Department, Temple Station, researched the subject property's calls for service for over the past five years. During that time, the Department responded to 16 calls for service on the project site when it was developed as an automobile smog check service station with attached mini mart. The calls for service included seven alarm calls, four calls for transients sleeping in front of the business, one call for smoke being seen coming from a nearby apartment building, one traffic stop, one paramedic response for a person who had fallen, one patrol check regarding the CUP application, and one arrest for public intoxication. The Sheriff's Department mentioned that on numerous occasions, a food truck parks north of the subject property on Duarte Road. Before the former smog check service station was permanently closed, the food truck would operate after the service station's business hours and the food truck's customers often used the service station's parking lot. The Sheriff's Department is concerned that the potential sale of alcohol from the proposed service/gas station and the presence of the food truck, even if the food truck operates after the proposed service/gas station's business hours, may cause a direct impact on law enforcement services with a potential increase of public intoxication, drinking in public, driving under the influence, and other disruptions of public peace. The Sheriff's Department concluded that they could not recommend approval of the project.

The Hearing Officer finds that a food truck operation is a transitory operation and not a permanent land use and that impacts to law enforcement from the project would be minimal even if the food truck continues to operate near the project site after the service/gas station's mini mart's normal business hours. The project will be required to comply with a condition to post signage on the premises prohibiting loitering and/or the consumption of alcoholic beverages on the subject property or within the public right-of-way. Employees shall be instructed to enforce these regulations and to contact local law enforcement if loitering or public consumption of alcoholic beverages is observed. Conditions of approval will also prohibit advertising the sale of beer and wine on the proposed structure and will regulate single sales of beer and wine containers.

12. Statistical data from the California Department of Alcoholic Beverage Control (ABC) report that the site of the subject request is located in a high crime reporting district. The subject property is in Reporting District 588. The average number of offenses reported per district is 85.7 and the total number of crimes reported for District 588 is 209.

The subject property lies within Census Tract 4800.12. There are currently two existing alcohol licenses in this census tract and three licenses are allowed. Therefore an undue concentration of alcoholic beverages does not exist within Census Tract 4800.12.

13. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 3, New Construction or Conversion of Small

Structures, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involves the sale of beer and wine for off-site consumption at a proposed automobile service/gas station mini mart involving minimal construction of a 1,297 sq. ft. structure for the service station's garage and mini mart.

14. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
15. Prior to the Hearing Officer's public hearing, the Department of Regional Planning ("Regional Planning") staff received one phone call from a neighboring resident who expressed concerns about the food truck that would park near the project site on some nights. The resident stated that the food truck patrons would sometimes leave trash on his property and is concerned about the potential sale of alcohol to food truck patrons from the service station.
16. [Hearing Proceedings] *To be inserted after the public hearing to reflect hearing proceedings.*
17. The Hearing Officer finds that the Project Site is located within the CG – General Commercial land use category of the Los Angeles County General Plan. This designation is intended for areas suitable for local-serving commercial uses. The sale of beer and wine for off-site consumption at an automobile service/gas station mini mart provides a local commercial service to the neighborhood and is therefore consistent with the permitted uses of the underlying land use category.
18. The Hearing Officer finds that the selling of beer and wine for off-site consumption on the subject property is compatible with the surrounding neighborhood and provides a needed service, because commercial uses of this type are expected in the C-1 Zone and the proposed automobile service/gas station and mini mart will be developed at a scale that is consistent with the scale of surrounding development.

Alcoholic beverage sales is a permitted use in the C-1 Zone once a CUP is obtained. Currently, there is one other establishment within a 500-ft. radius of the subject property that sells alcohol (7-Eleven convenience store with a Type 20 off-site beer and wine license). Therefore, there is an undue concentration of alcoholic beverages around the project site under County code. The sale of beer and wine for off-site consumption at the subject property would provide a public convenience and necessity to the neighborhood by providing goods and services that are customarily found at a convenience-type store. The mini mart's shelf space devoted to the display of alcoholic beverages will be no more than five percent of the store's total shelf space. There are no sensitive uses located within 600 ft. of project site
19. The Hearing Officer finds that the proposed sale of beer and wine for off-site consumption will be an ancillary activity to the primary service station operation on the site. Conditions of the permit will ensure that the project will not have an adverse affect on local residents adjacent to the subject site.
20. The Hearing Officer finds that the project was previously developed with a smog check service station that complied with the development standards as prescribed under Title 22.

The new service station will be constructed to similar size dimensions of the previous service station and will comply with all development standards. The service/gas station would be approved under a separate plot plan submittal.

21. The Hearing Officer finds that the project is not anticipated to generate additional traffic to the site or on any adjacent streets. The site is currently serviced by all necessary utilities.
22. The Hearing Officer finds that the project is not located within 600 ft of any sensitive uses.
23. The Hearing Officer finds that the residential areas adjacent to the site are buffered from the site by block walls along the south and east property lines and by existing roadways.
24. The Hearing Officer finds that currently there is one other establishment within 500 ft. of the subject property that sells alcoholic beverages (7-Eleven convenience store). Therefore there is an undue concentration of establishments that sell alcoholic beverages according to County Code. The service station's mini mart will restrict the shelf space for alcoholic beverage display to five percent of the store's total shelf space.
25. The Hearing Officer finds that the sale of beer and wine for off-site consumption will consist of a small portion of the mini mart's total sales and will be an ancillary use to the service station's operations. The proposed use is expected to enhance business at the service station's mini mart.
26. The Hearing Officer finds that the proposed service/gas station and mini mart will be developed in a similar size, shape, bulk, and aesthetic to the former smog check service station that previously operated on the site and will be consistent to the commercial character of the intersection.
27. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the Conditional Use Permit to 15 years.
28. The Hearing Officer finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of East San Gabriel community. On March 30, 2016, a total of 400 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as three notices to those on the courtesy mailing list for the South Santa Anita – Temple City Zoned District and to any additional interested parties.
29. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.

- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
- E. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.
- F. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.
- G. The requested use at the proposed location will result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration. There is one other establishment within 500 ft. of the subject property that sells alcoholic beverages (7-Eleven convenience store). Therefore, the service station's mini mart will restrict the shelf space for alcoholic beverage display to five percent of the store's total shelf space.
- H. The requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.
- I. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood.

THEREFORE, THE HEARING OFFICER:

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15301 of the State CEQA Guidelines (Class 3, New Construction or Conversion of Small Structures categorical exemption); and
- 2. Approves Conditional Use Permit No. 201400197, subject to the attached conditions.

ACTION DATE: May 3, 2016

MM:SM
5/3/16

c: Hearing Officer, Zoning Enforcement, Building and Safety

**[DRAFT] CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2014-02439-(5)
CONDITIONAL USE PERMIT NO. 201400115**

PROJECT DESCRIPTION

The project is to authorize the sale of beer and wine for off-site consumption at an automobile service/gas station mini mart subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and

duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on May 3, 2031.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$1,600.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **eight (8) biennial (one every other year)** inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **three (3) copies of a modified Exhibit "A"** shall be submitted to Regional Planning by **July 3, 2016**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies of the proposed plans** to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT (SALE OF ALCOHOLIC BEVERAGES)

19. The conditions of this grant shall be retained on the premises at all times and shall be immediately produced upon request of any County Sheriff, Zoning Inspector or

Department of Alcoholic Beverage Control agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein;

20. Loitering and/or the consumption of alcoholic beverages on the subject property, or within the public right-of-way, shall be prohibited, including loitering by employees of the subject property. Signage in compliance with Section 22.52 Part 10 of the County Code shall be placed on the premises indicating said prohibitions on loitering and consumption of alcoholic beverages on the premises or within the public right-of-way. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary;
21. The permittee, and all managers and designated employees of the establishment, who directly serve or are in the practice of selling alcoholic beverages, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the State of California Department of Alcoholic Beverage Control. All new designated employees shall be required to attend. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment such as the lobby, indicating they have participated in this program. Proof of completion of the facilities' training program by employees, the licensee and all managers shall be available upon request;
22. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property including windows, walls, fences or similar structures;
23. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced;
24. The permittee shall post or otherwise provide telephone numbers of local law enforcement agencies at or near the cashier, or similar public service area. Such telephone numbers shall be visible by and available to the general public;
25. This grant authorizes the sale of alcoholic beverages from 6:00 a.m. to 12:00 a.m., seven days a week.
26. No sale of alcoholic beverages shall be made from a drive-in window;
27. There shall be no beer sold in containers under one quart or in less than six-pack quantities;
28. No display of alcoholic beverages shall be made from an ice tub;
29. The permittee shall display alcoholic beverages only in the cooler or shelving designated for storage of said beverages as depicted on the "shelf plan" labeled Exhibit 'A'. No additional display of alcoholic beverages shall be provided elsewhere on the premises. The shelf space devoted to the display of alcoholic beverages shall be no greater than five percent of the establishment's total shelf space;
30. The licensed premises shall have no coin operated amusements, such as pool tables, juke boxes, video games, small carousel rides or similar riding machines, with the exception of official State Lottery machines;
31. Employees on duty after 10:00 pm shall be at least 21 years of age;

32. No alcoholic beverages shall be displayed within five feet of the cash register or the front door unless it is in a permanently affixed cooler;
33. Malt beverages (e.g. beer, ale, stout and malt liquors) shall not be sold in a bottle or container greater than 750 milliliters or 25.4 ounces;
34. There shall be no wine, with the exception of wine coolers, sold in containers of less than 750 milliliters. No miniatures of any type may be sold. Wine coolers shall not be sold in less than four-pack quantities;
35. The permittee shall provide adequate lighting above all entrances and exits to the premises and in all parking areas and walkways under control of the permittee or required as a condition of this grant. All lighting required by this grant shall be of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons within lighted areas during operating hours and shall be designed so as to direct light and glare only onto the facility premises. Said lighting and glare shall be deflected, shaded and focused away from all adjoining properties;
36. The sale of fortified wines shall be prohibited;
37. All parking lot and other exterior lighting shall be hooded and directed away from neighboring residences to prevent direct illumination and glare, and shall be turned off within thirty minutes after conclusion of activities, with the exception of sensor-activated security lights and/or low level lighting along all pedestrian walkways leading to and from the parking lot; and
38. All litter and trash shall be collected regularly from the premises and the adjacent right-of-way.



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

Proposed sale of beer and wine products, which are ancillary to all other operations at this location

will not have an adverse effect on the health, peace, comfort or welfare of the local residents

adjacent to the subject site. sale of such ancillary merchandise will not constitute a menace to the

public health or safety of the local residents, proposed area for sale of such items consist of a very

small area of the existing building.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

~~Physical improvements are proposed. Site is currently developed as a commercial entity~~

subject site is adequate in size to provide the necessary yard setbacks, walls, parking spaces, etc,

as required in title 22 of la county planning code.

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

site is at the s. e. corner of rosemead blvd and duarte, both fully developed streets. proposed

physical changes are consistent with the previous use, therefore no additional traffic is anticipated

and existing adjacent streets are adequate to serve existing improvements.

site is connected to public sewer and water services.



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



ALCOHOLIC BEVERAGE SALES BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.195, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.

Proposed sale of these products will not have an adverse impact on the nearby sensitive uses, in that the proposed area of sales is a very small portion of the proposed building and will be ancillary to our sales.

B. That the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.

Existing site is sufficiently buffered from residential uses via existing block wall along the north side of the property, and an alley along the north side as well. the remainder of the residential uses are buffered by existing roadways.

C. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment.

Our proposed shelf space devoted to alcoholic sales will be limited to small area.

our sales will be ancillary to our other sales and will not have any impact on other existing businesses and will not result in undue concentration of similar premises.

D. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.

Proposed use will not adversely affect the economic welfare of the surrounding areas. The proposed sales area and amount to be sold are very small portion of our food mart sales and will be ancillary to our proposed operations.

E. That the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood.

Proposed improvements (including our request for sale of such products) on site will be a great addition to the area and will not diminish or impair property values within the adjoining neighborhood.



San Joaquin, Sheriff

County of Los Angeles
Sheriff's Department Headquarters

*4700 Ramona Boulevard
Monterey Park, California 91754-2169*



July 22, 2015

Steve Mar
County of Los Angeles | Department of Regional Planning
Zoning Permits East Section
320 West Temple Street
Los Angeles, California 90012

RE: Conditional Use Permit Consultation for Sale of Alcohol
Establishment: Live Oak Test Only (Smog Check)
Project: R2014-0239-(5), Permit: CUP 201400115

Dear Mr. Mar:

Temple Sheriff's Station has responded to sixteen (16) calls for service at 6850 Rosemead Boulevard, San Gabriel in the past five years; seven (7) alarm calls were reported, four (4) calls for transients sleeping in front of a business, one (1) for smoke seen from an apartment building, one (1) traffic stop, one (1) for paramedics to respond for person who had fallen, one (1) patrol check with owner of business regarding the CUP, and one (1) arrest for public intoxication.

We have reviewed the calls for service directly related to this concerned address for a Conditional Use Permit (CUP) for the sale of alcohol. On numerous recent occasions deputies have observed a food truck parked north of the property on Duarte Road after the business has closed. The food truck customers who park in the business parking lot at times filling the entire area. Although Live Oak Test Only is not open while the food vendor is present, our concern is with the potential concurrent sale of alcohol from the business and the presence of the food truck. The potential is present for this to create a direct impact on law enforcement with an increase in public intoxication, drinking in public, driving under the influence, and other disruptions of public peace.

Based on the above information, I do not recommend this Conditional Use Permit be approved.

Sincerely,

JIIM McDONNELL, SHERIFF

Coronne L. Jacob, Captain
Temple Station

Department of Alcoholic Beverage Control

State of California
Edmund G. Brown Jr., Governor

INFORMATION AND INSTRUCTIONS -

SECTION 23958.4 B&P

- Instructions This form is to be used for all applications for original issuance or premises to premises transfer of licenses.
- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
 - Part 2 is to be completed by the applicant, and returned to ABC.
 - Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME

2. PREMISES ADDRESS (Street number and name, city, zip code)

6850 Rosemead Blvd, San Gabriel 91775-1523

3. LICENSE TYPE

20

4. TYPE OF BUSINESS

- | | | | |
|---|--|--|--|
| <input type="checkbox"/> Full Service Restaurant | <input type="checkbox"/> Hofbrau/Cafeteria | <input type="checkbox"/> Cocktail Lounge | <input type="checkbox"/> Private Club |
| <input type="checkbox"/> Deli or Specialty Restaurant | <input type="checkbox"/> Comedy Club | <input type="checkbox"/> Night Club | <input type="checkbox"/> Veterans Club |
| <input type="checkbox"/> Cafe/Coffee Shop | <input type="checkbox"/> Brew Pub | <input type="checkbox"/> Tavern: Beer | <input type="checkbox"/> Fraternal Club |
| <input type="checkbox"/> Bed & Breakfast | <input type="checkbox"/> Theater | <input type="checkbox"/> Tavern: Beer & Wine | <input type="checkbox"/> Wine Tasting Room |
| <input type="checkbox"/> Wine only | <input type="checkbox"/> All | | |
| <input type="checkbox"/> Supermarket | <input type="checkbox"/> Membership Store | <input type="checkbox"/> Service Station | <input type="checkbox"/> Swap Meet/Flea Market |
| <input type="checkbox"/> Liquor Store | <input type="checkbox"/> Department Store | <input type="checkbox"/> Convenience Market | <input type="checkbox"/> Drive-In Dairy |
| <input type="checkbox"/> Drug/Variety Store | <input type="checkbox"/> Florist/Gift Shop | <input type="checkbox"/> Convenience Market w/Gasoline | |
| <input type="checkbox"/> Other - describe: | | | |

5. COUNTY POPULATION

N/A

6. TOTAL NUMBER OF LICENSES IN COUNTY

N/A

☐ On-Sale ☐ Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY

1:1,553

☐ On-Sale ☒ Off-Sale

8. CENSUS TRACT NUMBER

4800.12

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

3

☐ On-Sale ☒ Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

2

☐ On-Sale ☒ Off-Sale

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

- ☐ Yes, the number of existing licenses exceeds the number allowed
- ☒ No, the number of existing licenses is lower than the number allowed

595-H1

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

- ☐ Yes (Go to Item #13)
- ☐ No (Go to Item #20)

Temple City SS

13. CRIME REPORTING DISTRICT NUMBER

0588

14. TOTAL NUMBER OF REPORTING DISTRICTS

557

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

47,758

16. AVERAGE NO. OF OFFENSES PER DISTRICT

85.7

17. 120% OF AVERAGE NUMBER OF OFFENSES

103

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

209

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

- ☒ Yes, the total number of offenses in the reporting district equals or exceeds the total number in Item #17
- ☐ No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

- ☐ a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.
- ☐ b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.18(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.
- ☒ c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name:

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

ABC-245 (rev. 01-11)